

SERIAL NO.: 08/966,940

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REMARKS

The present invention is directed to compositions comprising a colloidal metal, such as colloidal gold, and one or more biologically-active factors. The biologically-active factors may be admixed with the colloidal metal particles or may be bound to the colloidal metal particles. In the compositions comprising target molecules, the target molecule may bind to a receptor on a cell membrane. The composition may also contain additional components such as excipients, buffers, antigen stabilizers, carriers, or adjuvants.

The present invention is also directed to methods for administering biologically-active factors to a human or animal by administering the compositions described above. Further, the present invention is directed to methods for treating cancer and immune diseases in humans and animals.

Claims 2-10, 15-26, 28-31, and 33-34 are pending in the application. The present amendment resubmits the amendments and remarks filed after final rejection and those changes indicated by the Examiner in a telephone interview on March 8, 2001. No additional fees are believed due with the filing of the present amendment. However, the Commissioner is hereby authorized to charge any deficit, or credit any overpayment, to Deposit Account No. 11-0855.

Applicants appreciate the courtesy shown their representative by Examiners Delecroix-Muirheid and Jones during the personal interview conducted on October 5, 2000 and the telephone interview conducted March 8, 2001. Applicants thank the Examiner's for the indication that claims to the elected species TNF- α and lymphotoxin are allowable.

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Objection to Claim 30 for informalities

Claim 30 has been objected to as being dependent upon canceled Claim 11. Claim 30 has been amended to depend from pending Claim 21, rendering the objection moot.

Rejection of Claims 33-34 Under 35 U.S.C. § 102(b) and of Claims 2-10, 15-26, and 28-31 under 35 U.S.C. § 103(a) over WO 94/21288

Claims 33-34 have been rejected under 35 U.S.C. § 102(b) as anticipated by WO 94/21288. Additionally, Claims 2-10, 15-26, and 28-31 have been rejected under 35 U.S.C. § 103(a) as obvious in view of WO 94/21288. The publication date of WO '288 is September 29, 1994. Applicants hereby claim priority as a continuation-in-part to application Serial No. 08/795,962, filed February 6, 1997, now abandoned, which is a continuation of application Serial No. 08/586,427, filed January 16, 1996, now abandoned, which is a continuation of application Serial No. 08/215,030, filed March 18, 1994, now abandoned. The subject matter of the present claims is supported by the parent application as originally filed. Thus, WO '288 is not prior art against the present application as its publication date of September 29, 1994, is later than the effective filing date, March 18, 1994, of the present application. In light of the amendments and the above remarks, Applicants believe that Claims 2-10, 15-26, 28-31, and 33-34 are allowable over the prior art of record. Early and favorable consideration by the Examiner is solicited.

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